



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 04-061

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated October 2002.]

2. Form, Style and Placement in Administrative Code

a. SECTION 1 of the rule proposes to create s. NR 809.12 (9) (e), but it appears that paragraph already exists. The agency may wish to create s. NR 809.12 (9) (f) instead.

b. In s. NR 809.80 (4), the introduction should be numbered as par. (a) and the remaining paragraphs should be renumbered accordingly.

5. Clarity, Grammar, Punctuation and Use of Plain Language

a. The term “other” in s. NR 809.80 (4) (b) is indefinite; a clear reference would be to refer to “[A]nalytical results other than those under par. (a). . . .” However, in accordance with Comment 2. b., this provision should be rewritten to read: “NR 809.80 (4) (c) Analytical results other than those under par. (b). . . .”

b. Has the agency considered whether any additional safeguards will be needed to retain and access electronic submittals as records?

c. Is there a consequence to not filing timely reports under the rule?

d. The agency may wish to consider a delayed effective date for the rule to allow for implementation. Also, an initial application provision could clarify how existing cases will be handled.